IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 4TH JANUARY 2007 / 14TH AGRAHAYANA,1928

Bail Appl..No. 1 of 2007()

LP.104/2006 of MUN-MAGI COURT, PARAVOOR
Crime No.56/03 of Paravoor Police Station

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PETITIONER: 1 ACCUSED.

ANTONY.J, S/O.JOSEPH,
AGED 72 YEARS, RESIDING AT TC.32/1162,
ALL SAINTS JUNCTION, BEACH P.O., TRIVANDRUM.

BY ADV. SRI.AJAYA KUMAR. G

RESPONDENT:

STATE OF KERALA, REPRESETNED BY THE
DIRECTOR OF PUBLIC PROSECUTIONS,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.1 of 2007

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Dated this the 4th day of January, 2007.

ORDER

Petitioner, who is the first accused in Crime No.56 of 2003 of Paravoor Police Station for offences punishable under Sections 489 B and 489 C read with Section 34 I.P.C., seeks anticipatory bail.

2. Admittedly, consequent on the non-appearance of the petitioner before the J.F.C.M., Paravoor, the case against him has been transferred to the long pending register where it has been registered as L.P. No.104 of 2006 and non-bailable warrants of arrest are pending against the petitioner. If so, anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within ten days from today, the same shall be considered and disposed of preferably on the same date on which it is

filed after considering the petitioner's contention that the co-accused in the case has already been acquitted.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

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